

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Mechthild RIEPING, et al.

SERIAL NO: 10/076,416

GAU: 1656

FILED: February 19, 2002

EXAMINER: STEADMAN

FOR: PROCESS FOR THE FERMENTATIVE PREPARATION OF L-AMINO ACIDS USING  
ENTEROBACTERIACEAE STRAINS WITH ATTENUATED POXB GENES

**TERMINAL DISCLAIMER**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Now comes the undersigned, Attorney of Record in the present application, who avers as follows:

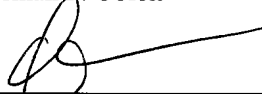
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Evonik Degussa GmbH does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of Patent Nos. 7,320,882 and 7,256,021, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully Submitted,

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28 February 2008

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